

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRICE BENNETT,	:	
Petitioner,	:	
	:	No. 1:17-CV-01202
v.	:	
	:	(Judge Kane)
COMMONWEALTH OF	:	
PENNSYLVANIA, <u>et al.</u>,	:	
Respondents	:	

ORDER

AND NOW, on this 8th day of November 2017, in accordance with the accompanying Memorandum, **IT IS ORDERED THAT:**

- 1) The Petitioner's application to proceed in forma pauperis (Doc. No. 4), is **GRANTED**;
- 2) Petitioner's petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 (Doc. No. 1), is **DISMISSED without prejudice** to the right of Petitioner to re-file his Section 2254 petition upon exhausting his state court remedies with respect to his claim; and
- 3) The Clerk of Court shall **CLOSE** this case.

s/Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania